UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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                         :

BIZZABO LTD. and BIZZABO, INC.,   :   No.

              Plaintiffs,   :

    -against-   :

PIXELINE TECHNOLOGIES, INC., also   :
known as PIXELINE TECHNOLOGIES
LTD., ELAD ROSANSKI, JOHN DOES 1-2, :

            Defendants.   :

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DECLARATION OF SIMONE ASTUNI IN SUPPORT OF PLAINTIFFS' MOTION FOR TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION

I, Simone Astuni, hereby declare, pursuant to 28 U.S.C. § 1746:

1.   I am a Senior Vice President of Customer Experience for Plaintiffs Bizzabo Ltd. and Bizzabo Inc. (together, "Bizzabo"). Before that, I held the title of Vice President of Solutions and Services, a position I have held since October 28, 2018.

2.   I submit this declaration in support of Bizzabo's Motion for Temporary Restraining Order and Preliminary Injunction.

3.   I have personal knowledge of the information stated below and of the documents attached to this declaration. All of the attached copies are true and correct copies of the documents they purport to be.

Background of Bizzabo

4.   Bizzabo is an event management software company which provides a platform that powers immersive in-person, virtual, and hybrid events, including conferences, summits, corporate retreats, marketing events, expositions, and webinars. Bizzabo's technology powers all aspects of

event planning and execution, including scheduling, marketing, ticket sales, website and mobile application building, attendee management and registration, broadcasting, and audience engagement.

5.   Bizzabo has been extremely successful since it was founded in 2011. Its success is largely driven by its constant internal efforts to better itself as a company, including by advancing its strategic business plan, products, technology, and customer relationships. In that regard, Bizzabo has invested substantial time, effort, and resources developing its confidential trade secrets and proprietary information.

Background of Bizzabo's Relationship with Pixeline

6.   Starting in or around 2019, Defendant Pixeline began providing services to Bizzabo as a vendor and business partner. Pixeline provided services on-site at in-person events, including services like renting tablets and printers for check-in, on-site software, and personnel to service on-site events.   Pixeline provided these on-site event services as a "private label provider," meaning that Pixeline services and employees appeared to all as if they were part of Bizzabo. As part of their work servicing many of Bizzabo's events, it is my understanding that certain Pixeline employees were provided with Bizzabo email accounts to support customers' seamless experience.

7.   I am aware that Elad Rosanski, a senior member of the management team at Pixeline, signed a confidentiality agreement on November 9, 2020 titled "Confidentiality and Proprietary Rights Undertaking." A true and correct copy of this agreement is attached as Exhibit A.

8.   While the business arrangement between Bizzabo and Pixeline was successful for a time, eventually the relationship between Bizzabo and Pixeline deteriorated.

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Bizzabo's Proprietary Information Generally

9.   Bizzabo possesses a wide array of highly confidential and valuable trade secret and other confidential information.

10.   Bizzabo devoted substantial resources to developing this information.   This information is not known outside of Bizzabo (as it was developed by Bizzabo employees and is not shared outside of the company other than with advisors) and access to this information is restricted.

11.   Accessing this information would allow a competitor to copy Bizzabo's strategic plans for business growth and technical plans for software development. The information would also enable a competitor to approach Bizzabo clients and use the information to harm Bizzabo's reputation or steal customers.

12.   I believe that a competitor could not legitimately acquire this information without investing the same substantial resources and time that Bizzabo did.

Examples of Stolen Documents

13.   I have come to learn recently that Rosanski downloaded, among other documents, a project plan, an internal roadmap, a launch plan, a document concerning a future software offering, and Klik's customer list and pricing.

14.   The project plan for one of Bizzabo's upcoming client events includes a step-by-step breakdown of the services and software Bizzabo is providing to the client, the status of the software's development, the timeline of development, and includes what discovery is being done for the development of other applications. Bizzabo invested substantial time and resources to create this document.

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15.   By accessing this proprietary information, and cross referencing this information with other confidential and proprietary information Rosanski improperly downloaded, Pixeline learned not only what it needed to do to compete with Bizzabo in the future, but a roadmap for how to do it. Pixeline also learned confidential details about Bizzabo's plans, including if Bizzabo plans to debut new features at the event. Even more, Pixeline gained descriptions and instructions on the development of Bizzabo technology, applications, and software, which has given it an illegitimate business advantage it can use to unfairly compete with Bizzabo.

16.   The internal roadmap document is a document detailing the Company's strategic vision and exact plans to accomplish it. This document provided Rosanski a complete how-to guide for competing with Bizzabo. This document is marked "confidential" and was not meant to be shared outside of the company. Entire sections of this document are devoted to products and features Bizzabo had not yet fully released.

17.   Defendants also download a launch plan, which includes the complete plan for Bizzabo's latest onsite offerings. This includes timelines and status updates.

18.   Another document contains detailed information about a future software offering, including the features and why and how it will be developed. It includes information about pricing, a projected timeline of development, and even storyboards. Pixeline now has the information necessary to develop software with equivalent functionality.

19.   Another document Rosanski downloaded contains information regarding a technology Bizzabo recently acquired called Klik, including Klik's confidential customer lists, project pipeline, and pricing information. This information gives Pixeline a list of potential customers, some with upcoming projects, to contact and the exact price to offer these customers in order to poach them. Pixeline could weaponize this document in conjunction other trade secrets

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and proprietary information they have taken to persuade customers to cancel their agreements with Bizzabo.

Defendants' Recent Contact with Bizzabo Customers

20.   Since downloading these documents, I have come to learn that Pixeline employees have contacted at least four Bizzabo customers attempting to take this business away from Bizzabo.

21.   Pixeline contacted a customer that has engaged Bizzabo for a three-day event scheduled for early June. During that conversation, a Pixeline employee told the customer that Bizzabo is still in the process of developing certain features and offerings and that such features will debut for the first time during that customer's event. Pixeline falsely told the customer that Bizzabo could not competently service the customer's upcoming event and would not be able to meet the customer's needs. Pixeline offered to have their own employees attend the event at no cost to ensure that the event is properly serviced.

22.   This message caused panic and confusion by the customer, which immediately raised the issue with Bizzabo. Fortunately, Bizzabo was able to work with this customer and salvage their faith in Bizzabo for now.

23.   I am not sure whether Bizzabo will be able to salvage its relationship with every customer if Pixeline continues to contact customers in this manner.

24.   Another customer that Defendants contacted was scheduled for a three-day event with Bizzabo in mid-June. This was a huge opportunity for Bizzabo. Bizzabo's on site services amounted to almost $300,000. This was the first in-person event for which the customer had engaged Bizzabo for full on-site services. It was therefore an opportunity to gain the customer's business for future in-person events.

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25.   Using trade secrets and proprietary information relating to this event and Bizzabo's on-site product offerings and capabilities, Pixeline persuaded the customer that Bizzabo would not be able to adequately service the event, causing the customer to panic.

26.   Because of this communication, the customer decided to call off its agreement with Bizzabo to provide on-site services and contract with Pixeline directly. Even more, because event organizers communicate about emergent issues in the industry, word of this cancellation will likely spread.

27.   In my experience, customers with upcoming live events are often stressed and therefore susceptible to panic if they are told any information that they perceive as potentially jeopardizing their events. Customers who choose to work with Bizzabo are placing their trust in the company to help them run smooth and successful events.

28.   It is my belief that if Pixeline is not stopped from using Bizzabo's confidential information, Bizzabo may suffer incalculable harm.

29.   I declare under penalty of perjury that the foregoing is true and correct.

Dated: May 16, 2022
        New York, New York

Simone Astuni
Simone Astuni

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Signature Certificate

Reference number: N4BEQ-CZBBX-WJVYA-AP5NK

Signer	Timestamp	Signature
Simone Astuni Email: simone@bizzabo.com		

Sent:	16 May 2022 20:56:48 UTC	
Viewed:	16 May 2022 20:58:31 UTC	
Signed:	16 May 2022 20:59:00 UTC	

Recipient Verification:

✔Email verified   16 May 2022 20:58:31 UTC

IP address: 207.38.247.84
Location: Queens, United States

Document completed by all parties on:

16 May 2022 20:59:00 UTC

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